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11 IN THE UNITED STATES BANKRUPTCY COURT
12 FOR THE DISTRICT OF NEVADA

13 IN RE:

Case No. BK-N-11-51818

14 JOHN GESSIN

Adv No: 11-5078

15 Debtor.

**EX-PARTE MOTION TO CONTINUE
HEARING ON MOTION FOR
SUMMARY JUDGMENT AND
TRIAL**

16 ALLISON TATIANO MOORE,

17 Plaintiff,

MSJ HEARING DATE: April 11, 2012
MSJ HEARING TIME: 10:00 a.m.
TRIAL DATE: April 20, 2012
TRIAL TIME: 9:00 a.m.

18 vs.

19 JOHN GESSIN,

20 Defendant.

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22 Debtor, John Gessin, by and through his counsel, Shelly T. O'Neill, of Demetras &
23 O'Neill, hereby moves this Court for an Order to Continue the hearing on Motion for
24 Summary Judgment and the Trial.

25 This Motion is made and based upon the following, together with the entire record
26 in this action.

27 The Debtor requests the Court to enter an Order to Continue the Motion for
28

Summary Judgment hearing and the Trial based upon the following:

1. The Plaintiff commenced this proceeding by filing a Complaint with the Court on August 2, 2011.
2. The Debtor answered the Complaint on September 6, 2011.
3. A Motion for Summary Judgment was filed on February 21, 2012.
4. A Scheduling Order was entered on March 15, 2012.
5. An Opposition to the Motion for Summary Judgment was filed on March 19, 2012.
6. The Debtor's counsel filed a Motion to Withdraw on March 19, 2012.
7. The Motion for Summary Judgment is set for April 11, 2012 at 10:00 a.m.
8. A trial is set on this adversary proceeding on April 20, 2012, and trial statements were due April 6, 2012.
9. Counsel for the debtor was hired after close of business on April 9, 2012.
10. Defendant/Counsel requires an extension of time to review the case with counsel and to file dispositive motions which may, if granted by the Court, vacate the motion for summary judgment and the trial.
11. Counsel for the Debtor is unavailable on both April 11, 2012 and April 20, 2012.
12. Counsel will also be unavailable May 14, 2012 through June 4, 2012.

WHEREFORE, the Debtor requests the Court enter an Order to Continue the Motion for Summary Judgment and the Trial and for such other and further relief as is deemed appropriate.

DATED this 10th day of April, 2012.

DEMETRAS & O'NEILL

By: /s/ Shelly T. O'Neill
By: Shelly T. O'Neill, Esq.
Attorney for Debtor/Defendant